IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 9387 of 2005

Between:

R.Suvarna. W/o.R.Ramesh
Narayanaguda . R/o.H.No.3-5-1022, Narayanaguda ,

Hyderabad Hyderabad District.

..... PETITIONER

AND

1 The Govt of A.P. Rep by its Prl.Secretary
Higher Education, Secretariat Building Secretariat, Hyderabad.
2 The Commissioner/ Director of Collegiate
Eduaction, Nampally, Hyderabad.
3 The Regional Joint Director
Zone VII, Nampally , Hyderabad.
4 The Secretary Correspondent,
Keshav Memorial Jr College. (Aided)

Narayanaguda , Hyderabad.
5 The Principal, Keshav Memorial Jr College. (Aided)

Narayanaguda , Hyderabad.
6 The Head Master
Keshav Memorial High School. (E.M) (Un- Aided)

Narayanaguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Certiorari calling for the records pertains impugned transfer office order KMES/19-7/2003-04, dt.17-12-2003 which is illegal, arbitrary and it can not sustain in the eye of law,

issued by the 4th respondent herein and consequently direct the respondents to absorb the petitioner in the post of clear aided vacant post of gardener in the 5th respondent college with consequential benefits from the date of arising the clear vacancy.

Counsel for the Petitioner: MR.SADURAJESWARA REDDY

Counsel for the Respondents No.1 to 3: GP FOR HIGHER EDUCATION

Counsel for the Respondents No.4 to 6: None appeared

The Court made the following :

ORDER:

This writ petition is filed by the petitioner aggrieved by the order of transfer from the Junior College to the High School in the same post in which she has been working.

However, the grievance of the petitioner is that the petitioner's college is an aided and the petitioner is entitled for absorption into the aided post, whereas the High School is an unaided school where there is no such opportunity.

However, the learned Government Pleader has stated that the petitioner has got alternative remedy under the statute i.e. under Section 89 of the Education Act.

In view of the effective alternative remedy available under Section 89 of the A.P. Education Act, this writ petition is not maintainable, more so, when the impugned order was passed as early as on 17-12-2002.

The writ petition is accordingly disposed of directing the petitioner to file an appeal before the competent authority within four weeks from today. No order as to costs.

S. ANANDA REDDY, J.

Dated: 27..06..2005.

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Copy to:

1 The Principal Secretary, Government of A.P.
Higher Education, Secretariat Building Secretariat, Hyderabad.

2 The Commissioner/ Director of Collegiate
Eduaction, Nampally, Hyderabad.

3 The Regional Joint Director
Zone VII, Nampally , Hyderabad.

4 The Secretary Correspondent
Keshav Memorial Junior College(Aided),

Narayanaguda , Hyderabad.

5 The Principal, Keshav Memorial Junior College,(Aided)

Narayanaguda , Hyderabad.

6 The Head Master, Keshav Memorial High School(E.M)(Un- Aided),

Narayanaguda , Hyderabad.

7. Two C.Cs to the Government Pleader for Higher Education,

High Court Buildings, High Court of A.P., Hyderabad (O.U.T.)

8. Two C.D.Copies.